

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO. 73 OF 2019
WITH
CIVIL APPLICATION NO. 20 OF 2019

Suresh Thomas .. Applicant
vs.
Anand R. Jhaveri .. Respondent

Mr. Vijay Thorat, Sr. Advocate a/w. Mr. Prasad Dani,
Sr. Advocate a/w. Ms Ferzana Behramkamdin, Ms Shivani
Khanna I/b M/s.FZB and Associates for the Applicant
Mr. P.K. Dhakephalkar, Sr. Advocate I/b M/s. Desai and
Diwanji for the Respondent.

CORAM : M. S. SONAK, J.
DATE : 8 APRIL 2019.

P.C. :-

- 1] Heard.
- 2] Rule.
- 3] M/s. Desai & Diwanji waives service on behalf of the respondent.
- 4] There shall be interim relief in terms of prayer clause (b) of the memo of revision petition subject to the condition that the applicant deposits in this Court compensation at the rate of Rs.15,000/- each month commencing from

1st November 2018, since the date of decree is 30th October 2018.

5] The time limit for deposit of arrears shall be six weeks from today. The compensation amount has to be deposited on or before 5th day of each succeeding month. In case of any two consecutive or three non-consecutive defaults, this interim relief to stand vacated without any further reference to this Court.

6] The amounts to be invested in a Nationalised Bank by the Registry, initially for a period of one year and thereafter until further orders.

7] The applicant is directed not to create any third party rights or part with possession of the suit premises. In fact, the applicant to file an affidavit-cum-undertaking to this effect within a period of four weeks from today. Copy of such affidavit-cum-undertaking to be furnished to the learned counsel appearing for the respondent before the same is filed.

8] Liberty is granted to place the compilation of documents on record.

9] Call for Record and Proceedings.

10] Hearing in the revision application is expedited, considering that the respondent is a senior citizen. Once the records are received liberty to apply for a fixed date.

11] Civil Application which had applied for interim relief is disposed of in the aforesaid terms.

(M. S. SONAK, J.)